

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

IN RE WTC LOWER MANHATTAN SITE
LITIGATION

BERTHA TACHE,
Plaintiff,

-against-

100 CHURCH STREET, ET AL.,
Defendants.

21 MC 102 (AKH)
07-cv-1537 (AKH)

**NOTICE OF MOTION FOR A
PROTECTIVE ORDER BY
NON-PARTY DR. SERRANO**

PLEASE TAKE NOTICE that on a date and time to be established by this Court, based upon the annexed Affidavit of Dr. Carlos J. Serrano ("Serrano Aff"), and upon the Declaration of Chaya Gourarie, Esq., non-party Dr. Carlos J. Serrano ("Dr. Serrano"), by and through his attorneys, SHAPIRO TAMIR LAW GROUP, PLLC, will move this Court, at the United States District Courthouse, 500 Pearl St., New York, NY 10007 for a Protective Order pursuant to Rule 26(C) of the Federal Rules of Civil Procedure, whereby this Court would Order that:

- a. The subpoena sent to Dr. Serrano by the attorneys of Harris Beach, PLLC, noticing a deposition for January 13, 2014 is hereby quashed, and Dr. Serrano need not appear for a deposition (*see* Serrano Aff, Exhibit C); *or in the alternative*,
- b. If this Court compels Dr. Serrano to appear at a deposition by Harris Beach, PLLC, that all Plaintiffs and Defendants in the consolidated and related actions (*In re World Trade Center Disaster Site Litigation*, 21 MC 100 (AKH) or *In re World Trade Center Disaster Site Litigation*, 21 MC 102 (AKH)), who have preserved their rights to and wish to depose Dr. Serrano, shall be placed on notice that they need to

communicate and coordinate their schedules through liaison counsel so that Dr.

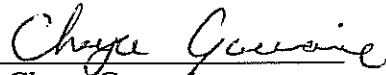
Serrano need only appear for a deposition once; *and*

c. Such other relief as this Honorable Court deems just and proper

Dated: New York, New York
February 19, 2014

Respectfully submitted,

SHAPIRO TAMIR LAW GROUP, PLLC

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